

UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
09/072,994	05/06/98	COTTAREL	G MIV-032.02

FOLEY HOAG & ELIOTT
ONE POST OFFICE SQUARE
BOSTON, MA 02109-2170

0232/0610
E 10 98
1 16 99

NOT ASSIGNED

1646

DATE MAILED:

06/10/98

395.00 OP
176.00 OP
245.00 OP
65.00 OP
135.00 OP

NOTICE TO FILE MISSING PARTS OF APPLICATION
Filing Date Granted

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136. If any of the items indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☐ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☐ small entity (statement filed) ☒ non-small entity is \$ 790

- ☒ 1. The statutory basic filing fee is:
☒ missing.
☐ insufficient.
Applicant must submit \$ 790 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
☒ 2. Additional claim fees of \$ 844, including any multiple dependent claim fees, are required.
\$ 492 for 6 independent claims over 3.
\$ 352 for 16 dependent claims over 20.
\$ _____ for multiple dependent claim surcharge.
Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

- ☒ 3. The oath or declaration:
☒ is missing or unexecuted.
☐ does not cover the newly submitted items.
☐ does not identify the application to which it applies.
☐ does not include the city and state or foreign country of applicant's residence.
An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.
☒ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

- ☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).
☐ 7. Your filing receipt was mailed in error because your check was returned without payment.
☒ 8. The application does not comply with the Sequence Rules.
See attached "Notice to Comply with Sequence Rules 37 CFR 1.821-1.825."
☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice MUST be returned with the reply.

Customer Service Center
Patent Examination Division (703) 305-5002

PART 25 COPY TO BE RETURNED WITH RESPONSE

RECEIVED
98 SEP 18 AM 10:35
GROUP 180

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Guillaume Cottarel, Veronique Damagnez,
and Giulio Draetta

Appln. No.: 09/072,994

Filed: May 5, 1998

For: CELL-CYCLE REGULATORY PROTEINS
FROM HUMAN PATHOGENS AND USES
RELATED THERETO

Art Unit: 1646

Examiner: To Be Assigned

Docket No.: MIV-032.02



Handwritten notes:
2429/0210
0300 Box 59

Certificate of First Class Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Services as first class mail in an envelope addressed to: Assistant Commissioner for Patents; Box Missing Parts, Washington, D.C. 20231 on the date set forth below.

9/9/98
Date of Signature and Mail Deposit

By: *[Signature]*

FEE TRANSMITTAL AND RESPONSE TO NOTICE TO FILE MISSING PARTS

Dear Sir/Madam:

Responsive to the Notice to File Missing Parts of Application dated June 10, 1998, Applicants' attorney submits herewith the following:

- [x] Three executed Declaration, Petition and Power of Attorney forms;
- [x] One executed Verified Statement Claiming Small Entity Status;
- [x] A copy of Form PTO-1533 is also enclosed.
- [x] A copy of Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures;
- [x] One diskette with Sequence Listing in computer readable form;
- [x] One hardcopy of Sequence Listing;
- [x] A Statement to Support Filing and Submission in Accordance with 37 C.F.R. §§ 1.821-1.825;

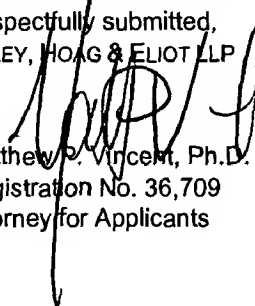
The filing fee has been calculated as shown below:

			SMALL ENTITY		OTHER THAN SMALL ENTITY	
	# FILED	# EXTRA	Rate	FEE	Rate	FEE
BASIC FEE			\$395	395.00	\$790	
TOTAL CLAIMS	36 - 20	16	x \$11	176.00	x \$22	
INDEP. CLAIMS	9 - 3 =	6	x \$41	246.00	x \$82	
[X] MULTIPLE DEP. CLAIMS PRESENTED			\$135	135.00	\$270	
TOTAL:				952.00		

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- ☒ A check in the amount of \$1,017.00 to cover the cost of the filing fee, which includes the surcharge/small entity (\$65).
- ☒ A separate Request for One-Month Extension of Time is filed concurrently herewith.
- ☒ A check in the amount of \$55 to cover the Request for Extension of Time; and
- ☒ A return receipt postcard.
- ☒ Please charge any additional fees or credit any overpayments associated with this communication to our Deposit Account No. **06-1448**. A duplicate copy of this sheet is enclosed.

Respectfully submitted,
FOLEY, HOAG & ELIOT LLP


Matthew P. Vincent, Ph.D.
Registration No. 36,709
Attorney for Applicants

Patent Group
FOLEY, HOAG & ELIOT LLP
One Post Office Square
Boston, MA 02109
(617) 832-1000

Date: 9/9/98



Application No.: 09/072994

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☐ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at FR 18230, May 1, 1990.
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☒ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☐ 7. Other: _____

Applicant Must Provide:

- ☐ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☐ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

For PatentIn software help, call (703) 308-6856

PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR RESPONSE